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February 14, 2023

VIA ECF
Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Application GRANTED. The Court will go ahead and set the initial pretrial conference for **March 22, 2023**, at **9:00 a.m.** The parties are strongly encouraged, however, to settle before then. Additionally, Plaintiff's default judgment motion as to LEEBA is deemed withdrawn and thus DENIED. The Clerk of Court is directed to terminate ECF Nos. 26 and 37.

Re: Staffieri vs. LEEBA, et al.,
Index No. 22CV08616 (JMF)

Your Honor:

SO ORDERED.

February 14, 2023

I am an Assistant Corporation Counsel in the office of The Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendant, City of New York, in the above-referenced proceeding. I write, jointly with Plaintiff and Co-Defendant Law Enforcement Employees Benevolent Association ("LEEBA"), to respectfully report to the Court that the parties remain in serious settlement negotiations. The parties have exchanged settlement offers. Defendants, most recently, made a joint settlement offer on February 14, 2023, which is currently being considered by Plaintiff. All parties are hopeful that we may be able to resolve the matter without further judicial intervention. Given that, the parties jointly request additional time to continue our efforts on potential settlement. The parties, of course, are aware that the Court intends to set a new date for the initial pretrial conference. We respectfully propose providing the Court with a further update in two weeks, on February 28, 2023, and respectfully ask that the conference not be scheduled in advance of that date.

Additionally, Plaintiff's counsel reported to the other parties that Plaintiff has received an executed affidavit from LEEBA and hereby withdraws his Motion for Default Judgment (ECF No. 26).

The parties thank the Court for its consideration of this matter.

Respectfully submitted,

/s/

Donald C. Sullivan

Donald C. Sullivan
Assistant Corporation Counsel

cc: All counsel of record (via ECF)